

# EXHIBIT E

SHER TREMONTE LLP

May 16, 2025

**VIA EMAIL**

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**Re: *American Association of University Professors et al v. Rubio et al*  
(25 civ. 10685-WGY)**

Dear Counsel:

Thank you for your time during yesterday's meet and confer. I write to memorialize some of the topics we discussed on the call.

You stated that Defendants have not yet reached a decision as to whether they will be filing a motion for a protective order to prevent any discovery or otherwise limit discovery in this matter. You indicated that by Monday you expect to have a firm position on whether you intend to file such a motion and that if you do intend to file, you will inform us of the scope and legal basis for the motion.

With respect to our document requests ("RFPs") and interrogatories ("ROGs"), you stated that the government is still internally discussing its position, but that the government has concerns that some of our requests for documents and information relating to the nine "Targeted Non-Citizen Students and Faculty Members," as defined in our requests, implicate the Privacy Act. You also raised general relevance, overbreadth and deliberative process privilege concerns regarding RFP Nos. 7, 11, 12 and ROG Nos. 2–6, 10–13. While we maintain that our requests are relevant to our claims, Plaintiffs will re-review our requests with the government's concerns in mind and aim to propose a narrower set of requests on Monday for the government's consideration.

You also stated that the government has not yet taken a position with respect to our proposed pre-trial protective order or our proposed stipulation regarding the authenticity of statements of government officials. You indicated that you will aim to get us the government's position on these documents in advance of the May 22, 2025 status conference.

Finally, we previewed that Plaintiffs intend to send Defendants a proposed protective order limiting the use of any testimony from, or information related to, Plaintiffs' intended non-citizen witnesses who will testify at trial.

We look forward to further discussion of these issues on Monday, May 19 at 5:30 P.M. We reiterate our proposal to file a joint letter in advance of May 22 conference advising the Court of the status of our negotiations.

Thank you and have a good weekend.

Yours very truly,

/s/ Noam Biale

Noam Biale

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